




SIGNED THIS 16th day of April, 2024

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.


Rebecca B. Connelly
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

IN RE:

REBECCA ELIZABETH SMITH,

Debtor.

Case No. 23-50264

ORDER DISMISSING CASE WITH CONDITIONS

The matters before the Court are the Chapter 13's Motion to Dismiss (Docket No. 44), The United States Trustee's Motion to Convert to Chapter 7, or in the Alternative, to Dismiss with a Bar to the Debtor Receiving a Discharge, or in the Alternative, To Dismiss with a Bar to Refiling (Docket No. 45) (the "United States Trustee's Motion") and the United States Trustee's Motion to Approve Agreed Resolution regarding the United States Trustee's Motion (Docket No. 48) (the "Settlement Motion").

Based on the pleadings on file, the lack of opposition, for good cause shown, and it otherwise appearing proper, the Settlement Motion is GRANTED, and it is hereby ORDERED as follows:

- 1) The Court has authority and jurisdiction to enter this Order pursuant to Title 11 of the United States Code, particularly 11 U.S.C. §§ 105(a), 349(a) and 1307(c);

- 2) This case is DISMISSED, for cause, with prejudice, pursuant to 11 U.S.C. §§ 349(a) and 1307(c);
- 3) For cause pursuant to 11 U.S.C. § 349(a), all of the Debtor's debts in existence as of the date of this Order shall not be discharged in this case or dischargeable any future case filed under Title 11 of the United States Code;
- 4) For cause pursuant to 11 U.S.C. § 349(a), the Debtor shall be barred from filing another case under Title 11 of the United States Code for a period of 365 days from the date of this Order;
- 5) The Chapter 13 Trustee's Motion to Dismiss (Docket No. 44) is DISMISSED as moot.

It is FURTHER ORDERED that, upon the Chapter 13 Trustee filing a final report herein, the same shall be deemed approved without further order, the Chapter 13 Trustee's bond shall be released and the Chapter 13 Trustee shall be discharged from further liability herein unless proper objection is made to said final report within thirty (30) days after filing of same or such extended time as may be granted upon proper application made within said thirty (30) day period, and

It is FURTHER ORDERED that, if the Debtor established electronic payments to be paid to the Chapter 13 Trustee, the Debtor or the Chapter 13 Trustee, if able, should immediately cease all future scheduled payments, if any.

The Clerk shall transmit a copy of this Order to all creditors and parties in interest listed on the mailing matrix on file in this case.

*** END OF ORDER ***

We ask for this:

GERARD R. VETTER
Acting United States Trustee

/s/ B. Webb King
Margaret K. Garber (VSB No. 34412)
Assistant United States Trustee
B. Webb King (VSB No. 47044)
Trial Attorney
Office of the United States Trustee
210 First Street, Suite 505
Roanoke, Virginia 24011
(540) 857-2806
margaret.k.garber@usdoj.gov
webb.king@usdoj.gov

Seen and agreed:
REBECCA ELIZABETH SMITH

/s/ David Wright by B. Webb King via email authorization
David Wright, Esq.
VSB #40424
900 Lakeside Drive
Lynchburg, Virginia 24501
dave@coxlawgroup.com
434-845-2600

Seen and agreed:

CHAPTER 13 TRUSTEE, ANGELA M. SCOLFORO

/s/ Angela M. Scolforo by B. Webb King via email authorization
Angela M. Scolforo, Chapter 13 Trustee
VSB #42574
P.O. Box 2103
Charlottesville, Virginia 22902
(434) 817-9913
ascolforo@cvillech13.net